

AMENDMENTS

The following Replacement Section replaces Section III, Status of Claims, located on page 1 of Applicant's Appeal Brief, which was submitted on December 9, 2008.

Replacement Section

III. Status of Claims

Pending claims 1-115 and 139-207 have been rejected. Claims 116-138 and 208-230 have been cancelled without prejudice to refiling. The Applicant is appealing from the Examiner's rejection of pending claims 1-115 and 139-207.

REMARKS

The Applicant has reviewed the Notification of Non-Compliant Appeal Brief, which was mailed on January 8, 2009. In the Notification of Non-Compliant Appeal Brief, it was indicated that the brief did not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or did not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).

The Applicant appreciates the opportunity to correct the noted deficiency. The Applicant believes that the Appeal Brief correctly sets forth the status of the claims. Thus, to correct the noted deficiency Applicant has amended Section III, Status of Claims, to identify that the Applicant is appealing from the Examiner's rejection of pending claims 1-115 and 139-207. Applicant believes that this amendment corrects the deficiency identified in the Notification of Non-Compliant Appeal Brief, which was mailed on January 8, 2009.

Should this amendment not correct the deficiency noted in the Notification of Non-Compliant Appeal Brief, Applicant would welcome a telephonic interview to discuss how the Applicant could cure the noted deficiency.

Respectfully submitted,



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